

AN ACT

relating to the payment of and contracts with health care providers by certain entities under contract with a certified workers' compensation network.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1305.153, Insurance Code, is amended by adding Subsections (f), (g), (h), (i), and (j) to read as follows:

(f) If, for the purposes of credentialing and contracting with health care providers on behalf of the certified network, a person is serving as both a management contractor under Section 1305.102 or a third party to which the network delegates a function and as an agent of the health care provider, the contract between the management contractor or third party and the health care provider must specify:

(1) the certified network's contract rate for health care services; and

(2) the amount of reimbursement the health care provider will be paid after the health care provider agent's fee for providing administrative services is applied.

(g) If a management contractor or third party to which the network delegates a function is serving as an agent for health care providers in the certified network, the management contractor or third party must disclose that relationship in its contract with the certified network.

1 (h) A contract described by Subsection (f), or a contract
2 between a management contractor or third party to which the network
3 delegates a function and a certified network, must comply with the
4 requirements of this chapter.

5 (i) If a contract described by Subsection (f) complies with
6 the requirements of this chapter, the health care provider shall be
7 reimbursed in accordance with the terms of the contract. If a
8 contract described by Subsection (f) does not comply with the
9 requirements of this chapter, the health care provider shall be
10 reimbursed in accordance with the certified network's contracted
11 rate.

12 (j) A certified network, management contractor, or third
13 party to which the network delegates a function may not require a
14 health care provider, as a condition for contracting with the
15 certified network, to utilize as a health care provider agent the
16 management contractor or the third party.

17 SECTION 2. With respect to a contract between a health care
18 provider and a network, management contractor, or third party to
19 which the network delegates a function, the change in law made by
20 this Act applies only to a contract entered into or renewed on or
21 after the effective date of this Act. A contract entered into or
22 renewed before the effective date of this Act is governed by the law
23 in effect immediately before the effective date of this Act, and
24 that law is continued in effect for that purpose.

25 SECTION 3. With respect to a contract between a certified
26 network and a management contractor or third party to which the
27 network delegates a function, the change in law made by this Act

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1 applies to a contract that is in effect on the effective date of
2 this Act or entered into on or after that date.

3 SECTION 4. This Act takes effect September 1, 2013.

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President of the Senate

Speaker of the House

I certify that H.B. No. 3152 was passed by the House on May 7, 2013, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3152 was passed by the Senate on May 17, 2013, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor